



# COCHISE COUNTY

## COMMUNITY DEVELOPMENT

*"Public Programs...Personal Service"*

### MEMORANDUM

**TO:** Board of Supervisors  
**THROUGH:** Michael Ortega, County Administrator  
**FROM:** Rick Corley, Zoning Administrator  
**FOR:** Beverly J. Wilson, Planning Director  
**SUBJECT:** Docket R-14-01 — Amendments to the Zoning Regulations (Ag Processing)  
**DATE:** December 24, 2013 for the January 7, 2014 Meeting

#### I. Executive Summary

The existing Regulations pertaining to Agricultural Processing Services and On-site Agricultural Processing Services are difficult to understand and seemingly contradictory. The changes proposed below will simplify the regulations, making them easier for staff and the public to understand, while not altering their intent.

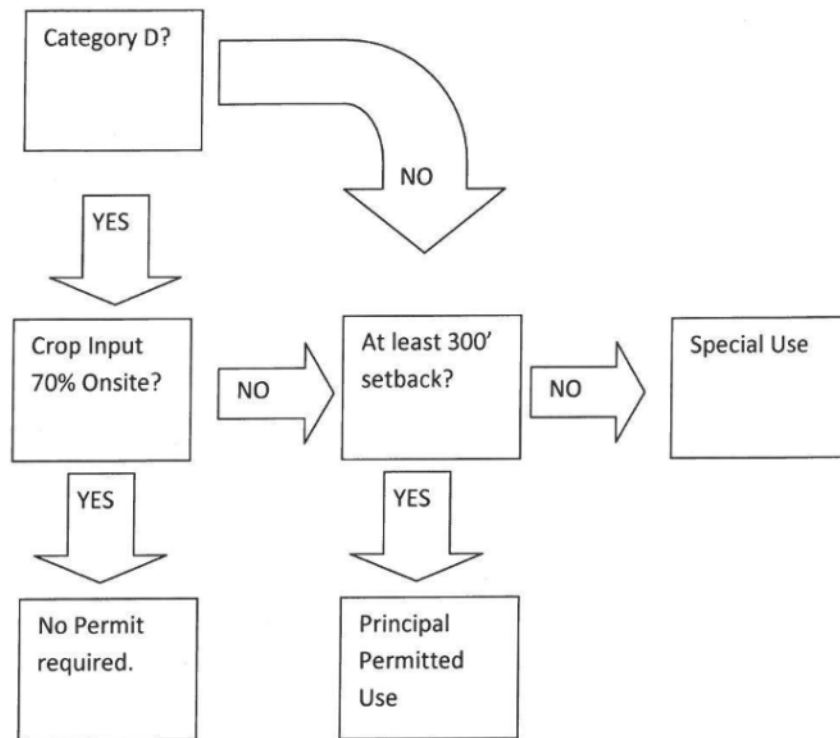
#### II. Background

Under the current Regulations, Agricultural Processing Services are defined as "Those services which alter the condition of and add value to a marketable, agricultural commodity through a processing activity. Agricultural processing services do not include slaughterhouses/meat packing plants, commercial feedlots, bone yards, or facilities for the reduction of animal matter."

On-site Agricultural Processing Services are defined as "An agricultural processing service located in Growth Category D where at least 70% or more of the crop input for the facility is grown on site."

In Article 6 Rural Zoning District, 603.17 On-site Agricultural Processing is listed as a principal permitted use with a 200-foot minimum setback, and as 607.55, a Special Use Authorization with less than a 200-foot minimum. In the Light Industrial District, 1302.41 and Heavy Industrial District, 1402.29, On-site Agricultural Processing is a Principal Permitted Use.

However, Section 1704.01.a states "Exception. Notwithstanding anything else in these Zoning Regulations to the contrary, no use or building permit shall be required for any use that meets the definition of On-site Agricultural Processing Service." This exception renders moot any reference to On-Site in Articles 6, 13, and 14. However, as the references to the use as a Permitted or Special Use remain, it can be difficult for both the public and staff to understand the intent of the regulations. The flow chart below illustrates the potential scenarios regarding Agricultural Processing.



### **III. Proposed Amendments**

Staff recommends removing any reference to On-Site Agricultural Processing from Articles 6, 13, and 14. Staff also recommends removing the standalone exemption in Article 17, and incorporating the exemption into the definition of On-Site Agricultural Processing Services in Article 2 as shown below. This will eliminate the need to reference three separate Articles to verify permitting requirements, thus simplifying the regulations, without altering the result.

***Agricultural Processing Services, On-site*** – An agricultural processing service located in Growth Category D where at least 70% of the crop input for the facility is grown on site. No use or building permit is required.

### **IV. RECOMMENDATION**

The Cochise County Zoning Regulations were last revised and adopted on October 22, 2013. The Cochise County Comprehensive Plan requires periodic review and updates to the Zoning Regulations to “reduce complexity, contradictions, and unnecessary regulations.” Staff is requesting that the Board consider approving the changes as presented.